

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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ERIC DEXTER WELCH,

Plaintiff,

Case No. 2:17-cv-38

v.

Honorable Gordon J. Quist

MARK L. DOBIAS,

Defendant.

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**ORDER FOR SERVICE**

This is a prisoner civil rights action. Plaintiff's complaint was dismissed by the Court on May 10, 2017, for lack of merit. Plaintiff subsequently filed an appeal with the Sixth Circuit Court of Appeals. On April 25, 2018, the Sixth Circuit Court of Appeals granted Plaintiff's appeal, in part, and remanded his legal malpractice and negligent misrepresentation claims to this court. Therefore:

**IT IS ORDERED** that the Clerk shall forward the complaint to the U.S. Marshals Service, which is authorized to mail a request for waiver of service to Mark L. Dobias in the manner prescribed by Fed. R. Civ. P. 4(d)(2). If waiver of service is unsuccessful, summons shall issue and be forwarded to the U.S. Marshals Service for service under 28 U.S.C. § 1915(d).

**IT IS FURTHER ORDERED** that the Defendant Mark L. Dobias shall file an appearance of counsel (individual Defendants may appear *pro se* if they do not have counsel) within 21 days of service or, in the case of a waiver of service, 60 days after the waiver of service was sent. Until so ordered by the Court, no Defendant is required to file an answer or motion in

response to the complaint, and no default will be entered for failure to do so. *See* 42 U.S.C. § 1997e(g)(1). After a Defendant has filed an appearance, proceedings in this case will be governed by the Court's Standard Case Management Order in a Prisoner Civil Rights Case.

Dated: May 7, 2018

/s/ Timothy P. Greeley  
Timothy P. Greeley  
United States Magistrate Judge